

Introduced by Senator Hill

December 17, 2014

An act to add Article 3 (commencing with Section 115810) to Chapter 4 of Part 10 of Division 104 of, and to repeal Section 115812 of, the Health and Safety Code, and to amend ~~Section~~ *Sections 42872 and 42873* of the Public Resources Code, relating to environmental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 47, as amended, Hill. Environmental health: synthetic turf.

Existing law regulates certain behavior related to recreational activities and public safety, including, among other things, playgrounds and wooden playground equipment.

This bill would require the Office of Environmental Health Hazard Assessment, by July 1, 2017, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, as defined, for potential adverse health impacts. The bill would require the study to include certain information, including a hazard analysis of ~~individual, synergistic, and cumulative exposures~~ *exposure* to the chemicals that may be found in synthetic turf, as provided. The bill would prohibit a public or private school or local government, until January 1, 2018, from installing, or contracting for the installation of, a new field or playground surface made from synthetic turf within the boundaries of a public or private school or public recreational park, ~~as provided~~ *unless 3 specified conditions are met, including that the public or private school or local*

government has obtained at least one estimate from a company that does not use crumb rubber in its turf field and playground products, as provided.

The California Tire Recycling Act (act) requires a person who purchases a new tire to pay a California tire fee, for deposit in the California Tire Recycling Management Fund, for expenditure by the department, upon appropriation by the Legislature, for programs related to the disposal of waste tires *including the awarding of grants*. The act specifies that the activities eligible for funding include the manufacture of specified products made from used tires.

The bill would include the above study as one of the acceptable activities eligible for this funding. *The bill would also authorize the awarding of grants to businesses that produce crumb rubber from waste tires for purposes of helping the businesses find alternative markets other than fields and playgrounds for their products. The bill would prohibit the awarding under this program of grants, subsidies, rebates, loans, or any other types of funding to businesses or other enterprises, to public or private schools, or to local governments for purposes of offsetting the cost of manufacturing or installing synthetic turf.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 3 (commencing with Section 115810) is
2 added to Chapter 4 of Part 10 of Division 104 of the Health and
3 Safety Code, to read:

4
5 Article 3. The Children's Safe Playground and Turf Field Act
6 of 2015
7

8 115810. For purposes of this article, "synthetic turf" means
9 any composition material that contains recycled crumb rubber
10 from waste tires and is used to cover or surface a field or
11 playground.

12 115811. (a) By July 1, 2017, the Office of Environmental
13 Health Hazard Assessment, in consultation with the Department
14 of Resources Recycling and Recovery, the State Department of
15 Public Health, and the Department of Toxic Substances Control,
16 shall prepare and provide to the Legislature and post on the office's

Internet Web site a study analyzing synthetic turf for potential adverse health impacts.

(b) The study shall include all of the following:

(1) A hazard analysis of ~~individual, synergistic, and cumulative exposures~~ *exposure* to the chemicals that may be found in synthetic turf, such as 4-t-octylphenol, acetone, arsenic, barium, benzene, benzothiazole, butylated hydroxyanisole, cadmium, carbon black, chloroethane, chromium, lead, manganese, matex, mercury, methyl ethyl ketone, methyl isobutyl ketone, n-hexadecane, naphthalene, nickel, nylon, phenol, phthalates, polycyclic aromatic hydrocarbons, and zinc.

(2) ~~A specific analysis evaluating~~ *An analysis that considers the* varying exposure activities, environments, duration of play, ages of different populations who play on synthetic turf, and exposure pathways, including whether chemicals found in tires have negative impacts on human health when used in indoor and outdoor fields and parks with various weather exposures and potentially ingested by children or coming in contact with children's bodies.

(3) Biomonitoring or other exposure monitoring of children or adults exposed to synthetic turf to be used to assess their exposure to chemicals found in the synthetic turf, to the extent feasible, to determine potential health impacts on children and other age groups.

(4) An examination of the potential for fields and playgrounds containing synthetic turf to cause adverse health impacts, including, but not limited to, non-Hodgkin lymphoma, testicular cancer, prostate cancer, sarcoma cancer, and leukemia. This examination shall include people who have developed these health impacts and played on fields and playgrounds containing used tires, including, but not limited to, soccer goalies.

(5) An examination of the health impacts associated with synthetic turf fields and playgrounds of varying age.

(6) An evaluation of the differences in the ~~manufacturers~~ *manufacturing* of synthetic turf and different turf, field, and playground products, including those that do not use recycled tires, and how these differences may affect health impacts. The evaluation shall include, but not be limited to, the types and age of tires used, the tire processing, and the type of plasticizer, backing

1 material, adhesives, and plastic blades of artificial grass used to
2 make the final synthetic turf product.

3 (7) An evaluation of the differences, in terms of health impacts,
4 ~~between crumb rubber and alternative surface materials~~ *fields and*
5 *playgrounds covered with synthetic turf and nonsynthetic turf,*
6 *including, but not limited to, fields made from coconut fibers, rice*
7 *husks, cork, sand, and used shoes.*

8 (8) A review of current research on the health impacts of
9 synthetic turf done by authoritative bodies from around the country
10 and the world.

11 (9) Research to fill any data gaps, such as those data gaps
12 identified by the report prepared by the Office of Environmental
13 Health Hazard Assessment on behalf of the Department of
14 Resources Recycling and Recovery titled “Safety Study of
15 Artificial Turf Containing Crumb Rubber Infill Made From
16 Recycled Tires: Measurements of Chemicals and Particulates in
17 the Air, Bacteria in the Turf, and Skin Abrasions Caused by
18 Contact with the Surface.”

19 (10) An examination of the health impacts of exposures to many
20 low level volatile organic compounds and polycyclic aromatic
21 hydrocarbons found in synthetic turf fields and playgrounds.

22 (11) *An analysis that compares the temperatures on synthetic*
23 *turf, nonwaste tire turf, and grass turf during the high-temperature*
24 *periods in the summer. This analysis shall include a health impact*
25 *analysis including, but not limited to, heat stress, heat illness, and*
26 *other heat-related health issues.*

27 (c) ~~At least 20~~ *A representative sample of* synthetic turf fields
28 and playgrounds around the state shall be analyzed for purposes
29 of the study.

30 (d) (1) A study submitted to the Legislature pursuant to
31 subdivision (a) shall be submitted in compliance with Section 9795
32 of the Government Code.

33 (2) The requirement for submitting a study to the Legislature
34 imposed pursuant to subdivision (a) is inoperative on July 1, 2021,
35 pursuant to Section 10231.5 of the Government Code.

36 115812. (a) (1) A public or private school or local government
37 shall not install, or contract for the installation of, a new field or
38 playground surface made from synthetic turf within the boundaries
39 of a public or private school or public recreational ~~park~~ *park unless*
40 *the following three conditions are met:*

1 (A) *The bid specification of the public or private school or local*
2 *government for the turf field or playground surface includes at*
3 *least one option that does not use crumb rubber from waste tires.*

4 (B) *The public or private school or local government has*
5 *obtained at least one estimate from a company that does not use*
6 *crumb rubber from waste tires in its turf field and playground*
7 *products.*

8 (C) *The public or private school or local government has held*
9 *a public meeting regarding the installation of synthetic turf with*
10 *an opportunity for public comment.*

11 (2) Paragraph (1) shall not apply to any installation of a field
12 or playground surface made from synthetic turf that commenced,
13 or any contract for such installation entered into, prior to January
14 1, 2016.

15 (3) *Paragraph (1) shall not apply to any maintenance that is*
16 *needed on a synthetic turf field or playground in existence as of*
17 *January 1, 2016.*

18 (b) This section shall remain in effect only until January 1, 2018,
19 and as of that date is repealed, unless a later enacted statute, that
20 is enacted before January 1, 2018, deletes or extends that date.

21 *SEC. 2. Section 42872 of the Public Resources Code is*
22 *amended to read:*

23 42872. (a) The tire recycling program may include, but is not
24 limited to, the following:

25 ~~(a)~~

26 (1) The awarding of grants, subsidies, rebates, and loans to
27 businesses or other enterprises, and public entities, involved in
28 activities and applications that result in reduced landfill disposal
29 of used whole tires and reduced illegal disposal or stockpiling of
30 used whole tires.

31 ~~(b)~~

32 (2) The awarding of grants for research aimed at developing
33 technologies or improving current activities and applications that
34 result in reduced landfill disposal of used whole tires.

35 ~~(c)~~

36 (3) The awarding of grants or loans for the evaluation, planning,
37 design, improvement, and implementation of alternative used tire
38 recycling programs in this state.

39 ~~(d)~~

(4) The awarding of grants, subsidies, rebates, or loans to businesses that shred used tires for purposes of recycling.

~~(e)~~

(5) Development and implementation of an information and education program, including seminars and conferences, aimed at promoting alternatives to the landfill disposal of used whole tires.

~~(f)~~

(6) The awarding of grants or loans to tire shredding programs at authorized landfills, solid waste transfer stations, or dedicated tire shredding facilities, including the direct purchase of shredders or financing of shredder contracts.

~~(g)~~

(7) Development and implementation of a waste tire incentive payment program to promote increased demand for waste tires recycled in this state and to promote higher valued products.

(8) The awarding of grants to businesses that produce crumb rubber from waste tires for purposes of helping the business to find alternative markets other than fields and playgrounds for their products.

(b) The tire recycling program shall not include the awarding of grants, subsidies, rebates, loans, or any other types of funding to businesses or other enterprises, to public or private schools, or to local governments for purposes of offsetting the cost of manufacturing or installing synthetic turf as that term is defined in Section 115810 of the Health and Safety Code.

~~SEC. 2.~~

SEC. 3. Section 42873 of the Public Resources Code is amended to read:

42873. (a) Activities eligible for funding under this article, that reduce, or that are designed to reduce or promote the reduction of, landfill disposal of used whole tires, may include the following:

(1) Polymer treatment.

(2) Rubber reclaiming and crumb rubber production.

(3) Retreading.

(4) Shredding.

(5) The manufacture of products made from used tires, including, but not limited to, all of the following:

(A) Rubberized asphalt, asphalt rubber, modified binders, and chip seals.

(B) Playground equipment.

- 1 (C) Crash barriers.
- 2 (D) Erosion control materials.
- 3 (E) Nonslip floor and track surfacing.
- 4 (F) ~~Oil spill~~ *Oil spill* recovery equipment.
- 5 (G) Roofing adhesives.
- 6 (H) Tire-derived aggregate applications, including lightweight
- 7 fill and vibration mitigation.
- 8 (I) Molded products.
- 9 (J) Products using recycling rubber and other materials, such
- 10 as plastic.
- 11 (K) Paint and coatings.
- 12 (6) Other environmentally safe applications or treatments
- 13 determined to be appropriate by the department.
- 14 (7) A study to analyze synthetic turf for potential adverse health
- 15 impacts, pursuant to Section 115811 of the Health and Safety Code.
- 16 (b) (1) The department shall not expend funds for an activity
- 17 that provides support or research for the incineration of tires. For
- 18 the purposes of this article, incineration of tires, includes, but is
- 19 not limited to, fuel feed system development, fuel sizing analysis,
- 20 and capacity and production optimization.
- 21 (2) Paragraph (1) does not affect the permitting or regulation
- 22 of facilities that engage in the incineration of tires.